

CIVIL RIGHTS ACT OF 1964

Legislation

Author(s): U.S. Congress

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Source: U.S. Congress. Civil Rights Act of 1964. 1964. Reproduced in History Resource Center. Detroit: Gale.

In passing the landmark Civil Rights Act of 1964, Congress was finally reacting with vigor to the civil-rights movement that had begun nine years earlier. Using sit-ins, boycotts, demonstrations, and other methods of peaceful civil disobedience, civil-rights activists around the South had spent years trying—with little success—to desegregate private restaurants, lunch counters, bus stations, theaters, and other facilities that were open to the public but kept blacks and whites separated. Protesters were usually arrested, and sometimes humiliated or beaten. All over the South, white resistance to any form of integration was widespread and determined, and whites held state and local power. The U.S. Supreme Court tried to expand African Americans' civil rights, but the matter really had to be dealt with legislatively.

The Civil Rights Act of 1964, which President Lyndon B. Johnson (1908-1973) pushed through a conservative Congress and signed into law on July 2, prohibited discrimination in all public accommodations and employment. It stretched long-standing "state action" distinctions that the Supreme Court made in interpreting the Fourteenth Amendment to the U.S. Constitution, by simply declaring that certain activities (including eating in restaurants) were sufficiently affected by the public interest to be subject to federal control. The Congress used language the Court had developed over the years to justify this extension of federal power over private property. This was a most ambitious undertaking, and it broke the back of private racial segregation.

The far-ranging 1964 statute touched on many concerns of African Americans, in eleven sections called *titles*. What appears here are the public accommodations provisions, the most important parts of the statute. As can be seen, Title II prohibits discrimination in such places as inns, hotels, and other lodgings with more than five rooms; restaurants and other eating places, including soda fountains; theaters, movie houses, stadiums, and other places of entertainment; and even gas stations.

Other parts of the Civil Rights Act were also significant. Title VI, for example, prohibited racial discrimination in any program or activity receiving federal funding or other financial assistance. Title VII banned discrimination in hiring or firing on the basis of race, religion, sex, or national origin. Thus, women and

members of religious minorities, as well as African Americans, benefited from the statute. The act created the Equal Employment Opportunity Commission to enforce Title VII.

Another feature of this statute was the creation of the Community Relations Service. This organization was the brainchild of President Johnson, who first drafted the idea in a 1957 bill when he was majority leader of the Senate. Originally made part of the Department of Commerce, it was designed to serve as a peacemaker in interracial disputes. The agency could be called into such disputes by state or local governments, or could choose to act on its own initiative. In early 1966, the agency was transferred to the Justice Department. The agency was very effective at responding to crises in racial matters, and its mediation and conciliation work extends all over the nation.

In all, although no act of Congress can effectively end all forms of racial discrimination, the Civil Rights Act of 1964 is easily one of the most important civil-rights acts in American history.

In the attached audio, Rogers Smith, professor of political science at Yale University, describes the dramatic impact that the Civil Rights Act of 1964 had on the social fabric of American society.

PRIMARY SOURCE DOCUMENT

Civil Rights Act of 1964, Title IV

2000a. Prohibition against discrimination or segregation in places of public accommodation

(a) Equal access

All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.

(b) Establishments affecting interstate commerce or supported in their activities by State action as places of public accommodation; lodgings; facilities principally engaged in selling food for consumption on the premises; gasoline stations; places of exhibition or entertainment; other covered establishments

Each of the following establishments which serves the public is a place of public accommodation within the meaning of this subchapter if its operations affect commerce, or if discrimination or segregation by it is supported by State action:

(1) any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

(2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station;

(3) any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and

(4) any establishment (A)(i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment.